

SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

THE WASHINGTON HARBOUR
3000 K STREET, NW, SUITE 300
WASHINGTON, DC 20007-5116
TELEPHONE (202) 424-7500
FACSIMILE (202) 424-7647
WWW.SWIDLAW.COM

Philip J. Macres
Direct Dial: (202) 424-7770
Fax: (202) 424-7645
Pjmacres@swidlaw.com

NEW YORK OFFICE
THE CHRYSLER BUILDING
405 LEXINGTON AVENUE
NEW YORK, NY 10174
TEL. (212) 973-0111
FAX (212) 891-9598

February 26, 2003

VIA FEDERAL EXPRESS & E-MAIL

Mary L. Cottrell, Secretary
Department of Telecommunications & Energy
Commonwealth of Massachusetts
One South Station, Second Floor
Boston, MA 02110

Re: D.T.E. 01-20

Dear Ms. Cottrell:

On February 24, 2003, RCN-BecoCom, LLC ("RCN"), by its attorneys, submitted its Late Filed Petition to Intervene as a Limited Participant ("RCN's Petition") in D.T.E 01-20. Today, Verizon Massachusetts ("Verizon") informed the Department that it did not object to RCN's Petition.

Verizon's letter, however, suggests that RCN only seeks to ask questions at the technical session scheduled for March 5-6. RCN seeks, however, both to do this and to *submit comments* in accordance with the procedural schedule established by the Department for the compliance phase of this proceeding. RCN, through the undersigned, therefore contacted Verizon regarding the extent of RCN's limited participation and Verizon informed RCN that it does not object to RCN's desire to participate in the technical session and file comments. Moreover, this afternoon AT&T and WorldCom informed RCN that they do not object to RCN's Petition.¹ Given this and for the reasons set forth in RCN's Petition, RCN respectfully requests that the Department grant RCN's request.

An original and one (1) copy of this filing are attached. Please date-stamp the enclosed extra copy of this filing and return it in the attached self-addressed, postage prepaid envelope provided. Should you have any questions concerning this filing, please do not hesitate to contact me.

Respectfully submitted,

Philip J. Macres

cc: DTE 01-20 Service List

¹ Consistent with paragraphs six and nine of RCN's Petition, RCN has agreed with AT&T that it will not seek to delay the proceeding by its involvement.